

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MICHAEL DEANDRE BROWN,**

**Plaintiff,**

**v.**

**WILLIAM COOL, et al.,**

**Defendants.**

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**Case No. 2:21-cv-05146**

**Chief Judge Algenon L. Marbley**

**Magistrate Judge Kimberly A. Jolson**

**ORDER**

This matter comes before the Court on the Magistrate Judge’s April 26, 2022, Report and Recommendation (ECF No. 14). The Report and Recommendation addressed Plaintiff’s Motion for Temporary Restraining Order and for Preliminary Injunction (ECF No. 7) and Motion To File Supplemental Complaint Under Fed. R. Civ. P. 15(c) (ECF No. 8), which was labeled on the docket as a “Supplemental Complaint” and which the Magistrate Judge construed as a Motion to Supplement the Complaint (ECF No. 3). (*See* ECF No. 14 at 1). The Magistrate Judge noted that the claims raised in Plaintiff’s Motion to Supplement concerned events and individuals unrelated to the claims raised in Plaintiff’s Complaint, and therefore recommended dismissal of the motion to supplement without prejudice.<sup>1</sup> (*See id.* at 2–3). As the Motion for Temporary Restraining Order and for Preliminary Injunction requested relief regarding the same events as the Motion to Supplement and was not targeted at conduct by Defendants in this case, the Magistrate Judge recommended dismissal of that motion as well. (*See id.* at 4). Since no objections have been filed

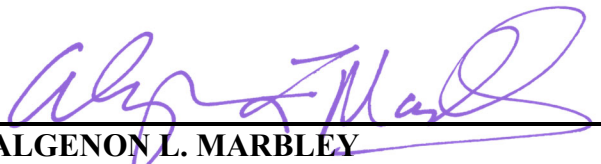
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<sup>1</sup> The Magistrate Judge recommended that Plaintiff file a separate complaint in a separate case alleging the events of his motion. (ECF No. 14 at 3). This Court notes that Plaintiff has done so: he has filed a second case, *Brown v. Mahlman*, 1:22-cv-00239, involving the events at the Southern Ohio Correctional Facility at Lucasville (“SOCF”) that formed the basis of his Motion to Supplement (ECF No. 8).

thereto and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, this Court **ADOPTS** the Magistrate Judge's Report and Recommendations (ECF No. 14).

Accordingly, Plaintiff's Motion for Temporary Restraining Order and for Preliminary Injunction (ECF No. 7) and Motion to Supplement (ECF No. 8) are **DENIED WITHOUT PREJUDICE**. The Court **STRIKES** the motions and Plaintiff's March 29, 2022, letter (ECF No. 11). This Order does not affect Plaintiff's other case before this Court. (*See* ECF, Case No. 1:22-cv-00239). Finally, the Magistrate Judge's instructions ordering Plaintiff to fulfill his obligations to serve Defendants in this case are now moot, as Plaintiff has filed the required service documents. (ECF No. 20; *see* ECF No. 25).

**IT IS SO ORDERED.**

  
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**ALGENON L. MARBLEY**  
**CHIEF UNITED STATES DISTRICT JUDGE**

**DATE: December 8, 2022**